

REMARKS/ARGUMENTS

Claim 6 has been objected to, claims 3 – 6 are rejected under 35 U.S.C. § 112 and claims 3, 5 and 6 are rejected under 35 U.S.C. § 102(a). In light of the amendments above and the arguments below, Applicants respectfully request reconsideration.

Claim 6 Objection

Claim 6 is objected to as being in improper dependent form. Applicants have cancelled claim 6.

§ 112 Rejections

Claims 3 – 6 are rejected under 35 U.S.C. § 112, second paragraph as being incomplete for omitting essential elements. While objecting to the Examiner's characterization of the claim language, Applicants have added an additional method clarification.

Claims 3 – 6 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The Office Action asserts that the claims "only describe the composition by an arbitrary name." Applicants dispute the Examiner's characterization and argue that "Ubp" is a well recognized name for Applicants' protein. However, Applicants have elected to amend the claims as was done in a previous version of this application (which resulted in U.S. Patent 6,392,015).

Claims 3, 4 and 6 are rejected under 35 U.S.C. § 112, first paragraph on the grounds that the specification "while being enabling for testing the *in vitro* interaction between Ubp and Vpu using co-precipitation experiments or an *in vivo* assay using to hybrid system does not reasonably enablement for the measuring the *in vivo* interaction between the two

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molecules and a virally infected cell which comprises both Vpu and Ubp.” Applicants once again dispute the Examiner’s characterization of the application, but in the interest of speedy prosecution, Applicants have amended the claim to specify that the interaction is *in vitro* or in a yeast cell.

§ 102(a)

The Examiner has argued that claims 3, 5 and 6 are rejected under 35 U.S.C. § 102(a) as being anticipated by Bour, et al. Applicants note that Bour, et al. is directed towards a completely different protein. It is not the protein described in claim 3 as being comprised of SEQ ID NOs:12, 15, 20 and 25.

Applicants respectfully request reconsideration. A Petition and Fee for Three Months of Time is enclosed. If any other fees are deemed necessary, please charge them to Deposit Account 17-0055.

Respectfully submitted,

Antonito T. Panganiban, et al.

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By: 

Jean C. Baker
Quarles & Brady LLP
Reg. No. 35,433
Attorney for Applicant
411 East Wisconsin Avenue
Milwaukee, WI 53202-4497
414/277-5709